

Exhibit K

AO 106 (Rev. 04/10) Application for a Search Warrant

UNITED STATES DISTRICT COURT

for the
District of Arizona**AUSA**
SEALEDIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)10705 East Cactus Road,
Scottsdale, Arizona 85259

Case No.

13-7368 MB

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the _____ District of _____ Arizona, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. §§ 1343, 1349,
1956(h)Offense Description
Wire fraud, wire fraud conspiracy, money
laundering conspiracy

The application is based on these facts:

See Attachments G-1, G-2.

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Approved by: Josh WayneJosh Wayne

Applicant's signature

SA Josh Wayne, IRS-CI

Printed name and title

Sworn to before me and signed in my presence.

Date: November 13, 2013 @ 9:30 a.m.Bridget L. Bada

Judge's signature

City and state: Phoenix, Arizona

The Honorable Magistrate Judge Bridget S. Bada

Printed name and title

SW-00000002

which is signed "Phil," begins as follows: "Per our conversation, please acknowledge your approval and authorization for me to have wire transferred \$250,000 to Attorney [John Doe 16's] Trust Account for your proportionate contribution to the Global Settlement Fund." At the end of the email, KENNER wrote: "Tommy [Constantine] has requested from all of us and will provide to us, written documentation of every element of this transaction. Please respond, ACKNOWLEDGED AND APPROVED, to this email accordingly ASAP."

25. On April 19, 2011, KENNER sent an email to John Doe 14 and others from email account kenner33@gmail.com with the subject line: "Mexico update."⁴ In the email, KENNER discusses his "fight" against [John Doe 17] in connection with the real estate development project in Cabo San Lucas, Mexico. KENNER further wrote: "As you are all aware, Constantine has misappropriated the lion share of the GSF (Global Settlement) funds, that would have been a great assistance to us in the Mexican pursuit of [John Doe 17], for his own benefit. It has left me with very few financial options while trying not to quit our legal pursuit." At the end of the email message, KENNER wrote: "DO NOT SHARE this information with anyone. It only further jeopardizes our desired goal!" In fact, financial records I have reviewed during this investigation reveal that KENNER received money via CONSTANTINE from the GSF.

26. On July 12, 2012, KENNER sent another email from kenner33@gmail.com to his other email account, pak33@mac.com. The subject line is "Current [John Doe 17] Mexican legal updates, etc..." The email starts off with "Gentlemen:" and discusses various events that

⁴ The email message is addressed to email account pak33@mac.com, another of KENNER's email addresses. No other recipient email addresses are visible. More than likely, KENNER blind copied (bcc'd) the other recipients of this email so that each recipient could not see who else received the email message.